



General Assembly

February Session, 2014

***Raised Bill No. 5533***

LCO No. 2237



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE  
FOR PUBLIC EMPLOYEES WITH POST-TRAUMATIC STRESS  
DISORDER.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (16) of section 31-275 of the 2014 supplement  
2 to the general statutes is repealed and the following is substituted in  
3 lieu thereof (*Effective October 1, 2014*):

4 (16) (A) "Personal injury" or "injury" includes, in addition to  
5 accidental injury that may be definitely located as to the time when  
6 and the place where the accident occurred, an injury to an employee  
7 that is causally connected with the employee's employment and is the  
8 direct result of repetitive trauma or repetitive acts incident to such  
9 employment, and occupational disease.

10 (B) "Personal injury" or "injury" shall not be construed to include:

11 (i) An injury to an employee that results from the employee's  
12 voluntary participation in any activity the major purpose of which is  
13 social or recreational, including, but not limited to, athletic events,

14 parties and picnics, whether or not the employer pays some or all of  
15 the cost of such activity;

16 (ii) A mental or emotional impairment, unless such impairment (I)  
17 arises from a physical injury or occupational disease, (II) in the case of  
18 a police officer, arises from such police officer's use of deadly force or  
19 subjection to deadly force in the line of duty, regardless of whether  
20 such police officer is physically injured, provided such police officer is  
21 the subject of an attempt by another person to cause such police officer  
22 serious physical injury or death through the use of deadly force, and  
23 such police officer reasonably believes such police officer to be the  
24 subject of such an attempt, [or] (III) in the case of a firefighter, is  
25 diagnosed as post-traumatic stress disorder by a licensed and board  
26 certified mental health professional, determined by such professional  
27 to be originating from the firefighter witnessing the death of another  
28 firefighter while engaged in the line of duty and not subject to any  
29 other exclusion in this section, or (IV) in the case of a state or municipal  
30 employee, is diagnosed as post-traumatic stress disorder by a qualified  
31 psychiatrist or psychologist and determined by such psychiatrist or  
32 psychologist to be originating from the state or municipal employee  
33 visually witnessing a traumatic event or visually witnessing the  
34 immediate aftermath of such traumatic event, provided the visual  
35 witnessing of such traumatic event or the visual witnessing of the  
36 immediate aftermath of such traumatic event was causally connected  
37 with the state or municipal employee's employment. As used in this  
38 clause, "police officer" means a member of the Division of State Police  
39 within the Department of Emergency Services and Public Protection,  
40 an organized local police department or a municipal constabulary,  
41 "firefighter" means a uniformed member of a municipal paid or  
42 volunteer fire department, [and] "in the line of duty" means any action  
43 that a police officer or firefighter is obligated or authorized by law,  
44 rule, regulation or written condition of employment service to  
45 perform, or for which the police officer or firefighter is compensated  
46 by the public entity such officer serves, "qualified psychiatrist or

47 psychologist" means a psychiatrist or a psychologist who is on the  
 48 approved list of practicing physicians established by the chairman of  
 49 the Workers' Compensation Commission pursuant to section 31-280,  
 50 "traumatic event" means an event occurring on or after December 14,  
 51 2012, that is extraordinary due to the number or severity of casualties,  
 52 that involves the death or serious bodily injury of one or more human  
 53 beings caused by an intentional act of another human being, not by  
 54 some natural cause or motor vehicle collision, and that does not  
 55 happen in the usual course of the employee's employment and  
 56 "immediate aftermath" means the scene at which a traumatic event  
 57 occurred for a period of time not to exceed six hours after such scene is  
 58 secured by law enforcement officers;

59 (iii) A mental or emotional impairment that results from a personnel  
 60 action, including, but not limited to, a transfer, promotion, demotion  
 61 or termination; or

62 (iv) Notwithstanding the provisions of subparagraph (B)(i) of this  
 63 subdivision, "personal injury" or "injury" includes injuries to  
 64 employees of local or regional boards of education resulting from  
 65 participation in a school-sponsored activity but does not include any  
 66 injury incurred while going to or from such activity. As used in this  
 67 clause, "school-sponsored activity" means any activity sponsored,  
 68 recognized or authorized by a board of education and includes  
 69 activities conducted on or off school property and "participation"  
 70 means acting as a chaperone, advisor, supervisor or instructor at the  
 71 request of an administrator with supervisory authority over the  
 72 employee.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2014	31-275(16)
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***Statement of Purpose:***

To provide workers' compensation coverage to state or municipal employees suffering from post-traumatic stress disorder as a direct result of witnessing a traumatic event or the immediate aftermath of a traumatic event.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*